

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

**FINAL ORDER OF
FORFEITURE**

v.

**Criminal No. 06-CR-92
(Hon. Thomas J. McAvoy)**

BRIAN MCCORKLE,

Defendant.

WHEREAS, on November 27, 2006, this Court entered a Preliminary Order of Forfeiture, ordering defendant to forfeit his interest in certain property, and

WHEREAS, the United States caused to be published in the Adirondack Daily Enterprise, Saranac Lake, New York, a newspaper of general circulation, notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and as specified in the Preliminary Order, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property; and

WHEREAS, no timely claim has been filed; and

WHEREAS, defendant agreed that a money judgment in the amount of \$97,500.00 in United States currency, would be entered against the defendant as the amount of property(ies) constituting or derived from proceeds obtained directly or indirectly, as a result of a violation of 21 U.S.C. §§ 846 and 841.

WHEREAS, the parties agreed that the money judgment could be satisfied by payment in full of the \$97,500.00 in United States currency and if the money judgment was paid in full at the time of sentencing, the government would dismiss the money judgment portion only of the Preliminary Order of Forfeiture.

WHEREAS, on or about April 4, 2007, defendant's attorney sent a check made payable to the United States Marshals Service, to the Drug Enforcement Administration, in the amount of \$97,500.00 as payment to satisfy the money judgment prior to sentencing.

WHEREAS, in accordance with the terms of defendant's Plea Agreement and the Preliminary Order of Forfeiture the government agrees that the money judgment in the amount of \$97,500.00 has been satisfied and the money judgment portion only of the Preliminary Order of Forfeiture shall be dismissed, all other terms and conditions of the Preliminary Order of Forfeiture shall remain in force.

WHEREAS, defendant's interest, if any, in the remaining properties listed below are hereby forfeited to the United States for disposition in accordance with law:

Bank Accounts

1. **Key Bank Account # XXXXXX1538 in the name of Alan R. Jacobs;**
2. **Citizens Bank Account # XXXXXX8237, Alan Jacobs Jacobs Excavation;**
3. **Citizens Bank Account # XXXXXX0836, Alan Jacobs Jacobs Manufacturing;**
4. **Citizens Bank Account # XXXXXX9038, AK Gas and Tobacco; and**
5. **Citizens Bank Account # XXXXXX1631, Jacobs Excavation Inc.**

Vehicle

**2006 BMW, Model 750
VIN#WBAHN83516DT33994
Registered to Alan R. Jacobs;**

Jewelry

Assorted Jewelry;

Cash

- 1. Cash in the amount of \$93,375.00 in Canadian currency; and**
- 2. Cash in the amount of \$45,587.06 in U.S. currency**

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED,
that the money judgment in the amount of \$97,500.00 in United States currency pending against
the defendant has been satisfied by the defendant by payment in full of the \$97,500.00 in United
States currency prior to sentencing, and

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED,
that the money judgment pending against the defendant is dismissed, all other terms and
conditions of the Preliminary Order of Forfeiture shall remain in full force, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and
interest of the defendant, if any, to the property described below is hereby condemned, forfeited
and vested in the United States of America, and shall be disposed of according to law; and

Bank Accounts

- 1. Key Bank Account # XXXXXX1538 in the name of Alan R. Jacobs;**
- 2. Citizens Bank Account # XXXXXX8237, Alan Jacobs Jacobs Excavation;**
- 3. Citizens Bank Account # XXXXXX0836, Alan Jacobs Jacobs
Manufacturing;**
- 4. Citizens Bank Account # XXXXXX9038, AK Gas and Tobacco; and**
- 5. Citizens Bank Account # XXXXXX1631, Jacobs Excavation Inc.**

Vehicle

**2006 BMW, Model 750
VIN#WBAHN83516DT33994
Registered to Alan R. Jacobs;**

Jewelry

Assorted Jewelry;

Cash

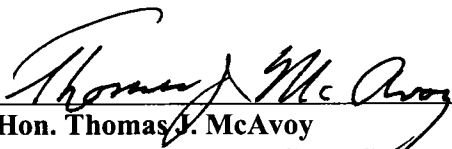
- 1. Cash in the amount of \$93,375.00 in Canadian currency; and**
- 2. Cash in the amount of \$45,587.06 in U.S. currency**

IT IS FURTHER ORDERED, that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and

IT IS FURTHER ORDERED, that the Clerk of the Court shall forward six certified copies of this Order to the United States Attorney's Office, 218 James T. Foley Courthouse, 445 Broadway, Albany, New York, Attention: Assistant U.S. Attorney Thomas A. Capezza.

SO ORDERED:

Dated: May 7, 2007


**Hon. Thomas J. McAvoy
United States District Court Judge**